

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
) INTERVERTEBRAL DISK PROSTHESIS
BRETT ALLISON TAYLOR)
)
(This Application is a Traditional)
Application Based on U.S.)
Provisional Application No.)
60/419,556, filed 10/21/2002)) Attorney Docket No. 287692-00030
)
Filed Herewith)

INFORMATION DISCLOSURE STATEMENT

October 21, 2003

MAIL STOP PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the provisions of 37 CFR Sections 1.56, 1.97 and 1.98, Applicant submits herewith copies of the prior art documents cited on the attached Form PTO/SB/08A for consideration during prosecution of the subject Application.

This Statement is filed solely for the purpose of complying with the pertinent rules of the Office and is not intended to be a substitute for an independent evaluation by the examiner of the art cited or an independent search by the examiner, and no representation of any nature is made or intended by the filing of this Statement.

In addition to the art cited on Form PTO/SB/08A, Applicant and/or his attorneys may have been exposed to or considered additional art relating to the general class of the subject matter of the invention. However, if in fact such exposure or consideration has occurred, to the best of their recall or judgment, none of such art is prior art which is more relevant than the art cited.

Respectfully submitted,



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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	
				Filing Date	
				First Named Inventor	Brett Allison Taylor
				Group Art Unit	
				Examiner Name	
Sheet	1	of	3	Attorney Docket Number	287692-00030

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A	3,867,728		J. A. Stubstad et al.	02/25/1975	
	B	3,875,595		E. C. Froning	04/08/1975	
	C	4,349,921		J. D. Kuntz	09/21/1982	
	D	4,759,766		K. Buettner-Janz et al.	07/26/1988	
	E	4,772,287		C. D. Ray et al.	09/20/1988	
	F	4,911,718		C. K. Lee et al.	03/27/1990	
	G	4,932,975		J. A. Main et al.	06/12/1990	
	H	5,002,576		G. Fuhrmann et al.	03/26/1991	
	I	5,171,281		J. R. Parsons et al.	12/15/1992	
	J	5,258,031		R. M. Salib et al.	11/02/1993	
	K	5,314,477		T. Marnay	05/24/1994	
	L	5,370,697		W. Baumgartner	12/06/1994	
	M	5,401,269		K. Buttner-Janz	03/28/1995	
	N	5,425,773		L. M. Boyd	06/20/1995	
	O	5,507,816		M. Bullivant	04/16/1996	
	P	5,514,180		M. H. Heggeness et al.	05/07/1996	
	Q	5,534,029		T. Shima	07/09/1996	
	R	5,545,229		J. R. Parsons et al.	08/13/1996	
	S	5,534,030		R. R. Navarro et al.	07/09/1996	
	T	5,556,431		K. Buttner-Janz	09/17/1996	

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Examiner Signature		Date Considered	
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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First Named Inventor

Brett Allison Taylor

Group Art Unit

Examiner Name

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		Number	Kind Code ² (if known)			
	U	5,562,738		L. M. Boyd et al.	10/08/1996	
	V	5,676,701		H. A. Yuan et al.	10/14/1997	
	W	5,899,941		Y. Nishijima et al.	05/04/1999	
	X	5,989,291		J. D. Ralph et al.	11/23/1999	
	Y	6,063,121		R. Xavier et al.	05/16/2000	
	Z	6,113,637		S. S. Gill et al.	09/05/2000	
	AA	6,132,464		J-R Martin	10/17/2000	
	BB	6,146,421		D. P. Gordon	11/14/2000	
	CC	6,156,067		V. Bryan et al.	12/05/2000	
	DD	6,162,252		J. M. Kuras et al.	12/19/2000	
	EE	6,296,664		L. M. Middleton	10/02/2001	
	FF	6,348,071		A. D. Steffe et al.	02/19/2002	
	GG	6,368,350		R. A. Erickson et al.	04/09/2002	
	HH	6,375,682		L. W. Fleischmann et al.	04/23/2002	
	II	6,402,785		T. A. Zdeblick et al.	06/11/2002	
	JJ	2001/0051829		L. M. Middleton	12/13/2001	
	KK	2001/0016773		H. Serhan et al.	08/23/2001	
	LL	2002/0035400		V. Bryan et al.	03/21/2002	
	MM	2002/0111683		J. D. Ralph et al.	08/15/2002	
	NN	2002/0111687		J. D. Ralph et al.	08/15/2002	

FOREIGN PATENT DOCUMENTS

[illegible]

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